

Message Text

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ACTION ARA-17

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TO SECSTATE WASHDC 7281

INFO AMCONSUL GUAYAQUIL

C O N F I D E N T I A L QUITO 2249

E. O. 11652: GDS

TAGS: PBOR, EFIS, EC, US

SUBJECT: HIGH GOE OFFICIALS DISCUSS ECUADOREAN LOS POLICY

1. SUMMARY: THE UNDER SECRETARIES OF THE MINISTRIES OF FOREIGN RELATIONS AND NATURAL RESOURCES PUBLICLY DISCUSSED GOE LOS POLICY ON APRIL 26. THE ACTUAL POLICY STATEMENTS WERE MADE BY THE UNDER SECRETARY OF NATURAL RESOURCES, A NAVY COMMANDER. THIS SITUATION ILLUSTRATES THE WEAK ROLE OF THE FOREIGN MINISTRY IN POLICY FORMULATION IN THIS FIELD. END SUMMARY.

2. ON THE EVENING OF APRIL 26, EMBOFF ATTENDED A PUBLIC LECTURE AND DISCUSSION OF GOE LOS POLICY. THE ONLY ANNOUNCED SPEAKER WAS JAIME MONCAYO, UNDER SECRETARY OF THE FOREIGN MINISTRY. HE IS THE MINISTRY'S EXPERT ON FISHERIES AND LOS MATTERS. IN ACTUALITY, HOWEVER, THERE WERE TWO SPEAKERS, THE SECOND BEING NAVY COMMANDER RODRIGO RIVANDENEIRA, UNDER SECRETARY FOR FISHERIES OF THE MINISTRY OF NATURAL RESOURCES.

3. MONCAYO IN HIS REMARKS DESCRIBED THE GENERAL INTERNATIONAL LOS SITUATION AND REVIEWED AT SOME LENGTH THE HISTORY OF ECUADOR'S POSITION, ASSERTING THAT IT
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WAS GAINING SUPPORT MORE AND MORE. HE POINTED OUT THAT

THE BASIC DIFFERENCE BETWEEN ECUADOR' S POSITION AND MANY OTHER SUGGESTIONS FOR LOS AND MARITIME RESOURCE MANAGEMENT (SUCH AS INTERNATIONAL REGIMES OR SPECIAL ARRANGEMENTS FOR THE MANAGEMENT AND CONSERVATION OF DIFFERENTLY BEHAVING SPECIES OF FISH SUCH AS THE HIGHLY MIGRATORY TUNA) WAS THE FACT THAT THESE PROPOSALS DO NOT RECOGNIZE SOVEREIGNTY OUT TO 200 MILES BUT INSTEAD DEPEND UPON THE INTERNATIONAL COMMUNITY FOR LEGITIMACY.

4. MONCAYO POINTED OUT THAT ONLY THE DEVELOPED COUNTRIES HAVE THE RESOURCES TO EXPLOIT SERIOUSLY THE RESOURCES OF THE SEA AND DEEP SEABED AND THAT THEREFORE AN INTERNATIONAL REGIME REGULATING THIS EXPLOITATION WOULD FAVOR THEM. HE SAID THAT THIS WAS AN UNACCEPTABLE SITUATION AND THAT SUCH AN OUTCOME MUST BE PREVENTED.

5. MONCAYO CONCLUDED BY SAYING THAT THE FORTHCOMING LOS CONFERENCE WOULD BE INTERESTING AND DIFFICULT BECAUSE OF THE COMPLEX AND IMPORTANT NATURE OF THE PROBLEM.

6. COMMANDER RIVADENEIRA THEN SPOKE. HIS SPEECH, UNLIKE MONCAYO' S, WAS A STATEMENT OF GOE LOS POLICY. HE SAID THAT IT WAS THE POLICY OF ECUADOR TO ASSERT FULL AND COMPLETE TERRITORIAL SOVEREIGNTY OUT TO 200 MILES OVER ITS ADJACENT SEA AND ITS RESOURCES. RIVADENEIRA STATED THAT THE GOE MADE NO DISTINCTION AMONG SPECIES IN ASSERTING THIS CLAIM. ANY RESOURCE OF ANY KIND FOUND IN ECUADOREAN CLAIMED WATERS IS THE " PROPERTY OF THE ECUADOREAN STATE." AT THE SAME TIME, HE SPECIFICALLY SAID THAT THIS CLAIM TO SOVEREIGNTY DID NOT EXCLUDE THE POSSIBILITY OF INTERNATIONAL AGREEMENTS TO CONSERVE FISH RESOURCES. HE POINTED OUT THAT SUCH AGREEMENTS COULD BE ON THE BASIS OF SPECIES OF FISH.

7. WHILE ON THE SUBJECT OF CONSERVATION, RIVADENEIRA SAID THAT IT WAS GOE POLICY TO PERMIT THE FISHING OF YELLOWFIN TUNA UP TO A SAFE LIMIT AND THAT THIS LIMIT

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WAS THOUGHT TO BE 100,000 TONS ANNUALLY OFF ECUADOR. FOR THIS REASON, HE SAID, THE NEW FISHING LAW WILL PROBABLY IMPOSE QUOTAS ON CATCH AND WILL ALLOCATE THE CATCH BETWEEN FOREIGN AND ECUADOREAN FLAG VESSELS. HE STATED THAT THE ULTIMATE PURPOSE OF THIS QUOTA ARRANGEMENT WAS TO ENCOURAGE AND MAXIMIZE THE ECUADOREAN SHARE OF THE CATCH. (FOR A DIFFERING ESTIMATE OF THE CONTENT OF THIS LAW SEE QUITO 2204.)

8. (FYI NAVY CAPTAIN JARRIN, MINISTER OF NATURAL RESOURCES STATED IN GUAYAQUIL ON APRIL 26 THAT THIS FISHERIES LAW WOULD BE PROMULGATED SOON. HE AVOIDED DISCUSSING THE 200 MILE AND RELATED ASPECTS OF THE LAW IN HIS STATEMENT. END FYI.)

9. IN ORDER TO INCREASE THE ECUADOREAN SHARE OF THE FISH CATCH OFF ITS SHORES, RIVADENEIRA REPORTED THAT THE GOE PLANNED TO ESTABLISH A STATE OPERATED HIGH SEAS FISHING FLEET. (SEE QUITO 1062 FOR INFORMATION ABOUT THIS FLEET.)

10. COMMENT: THE EMBASSY IS STRUCK BY THE DIFFERENCE IN THE SPEECHES OF MONCAYO AND RIVADENEIRA AND THE FACT THAT THE LATTER SPOKE AT THE MEETING SINCE MONCAYO HAD BEEN BILLED AS THE SOLE SPEAKER. IN OUR OPINION DIFFERENCES IN THE CONTENT OF THE SPEECHES AND THE DOMINATING ASPECT OF RIVADENEIRA' S ROLE POINT UP THE WEAK POSITION OF THE FOREIGN MINISTRY AND OF MONCAYO HIMSELF IN INFLUENCING DECISION MAKING ON FISHERIES AND LOS MATTERS. IT WAS RIVADENEIRA, A NAVY COMMANDER, WHO WAS ENUNCIATING GOE POLICY. HE WAS TAKING THE STRONG NAVY LINE WHICH WE UNDERSTAND AT LEAST SOME HIGH OFFICIALS IN THE FOREIGN MINISTRY OPPOSE (QUITO 2204 AND 2207.) THE CIRCUMSTANCES OF THESE TWO SPEECHES DO NOT INCREASE OUR ALREADY WEAK CONFIDENCE THAT THE FOREIGN MINISTRY WILL PREVAIL IN THIS STRUGGLE WITHIN THE GOE ON FISHERIES AND LOS POLICY.
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